IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 3106 of 2005

Between:

A. Naragoud, S/o Raja Goud,
R/o Brahmanpally Village, Tadwai Mandal, District Nizamabad.

..... PETITIONER

AND

1 The Superintendent of Prohibition and Excise, Nizamabad.
2 The Inspector, Prohibition and Excise, Domakonda, Nizamabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, direction, more particularly one in the nature of Writ of Mandamus, directing the Respondents to dispose of the representation dated 9-3-2004 , consequently issue TFT licence to the Petitioner forthwith in respect of Brahmanapally Village, Tadwai Mandal, District Nizamabad by declaring the inaction of the Respondent on representation made by the Petitioner as illegal, arbitrary, unconstitutional violative of Article 14 and 16 of the Constitution of India.

Counsel for the Petitioner: VADDEMANI SRINIVAS

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

This Court at the stage of admission made the following :

ORDER:

The petitioner is a Toddy Tapper by profession. While so, a case is said to have been registered against the petitioner in the year 2003

for alleged violations of the provisions of the A.P. Excise Act, 1968, which the petitioner claims ended in acquittal upon trial by the Judicial Magistrate of First Class, Kama Reddy. The petitioner states that as the criminal case ended in acquittal, as per the TFT Scheme-I, he is entitled to refund of the licence for Toddy tapping. Therefore, he made a representation dated 09.03.2004 to respondent No.1 for refund of Toddy tapping licence, but till date no action had been taken thereon. Hence, he filed the present writ petition.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise, and having regard to the fact that the representation dated 09.03.2004, said to have been made by the petitioner to respondent No.1 has not been disposed of till date, I deem it appropriate to dispose of the writ petition with the following directions:

Respondent No.1 is directed to consider and dispose of the representation dated 09.03.2004, said to have been made by the petitioner for refund of TFT licence fee, in accordance with law, expeditiously. No order as to costs.

_____

25.04.2005

dr/tvk

To

1 The Superintendent of Prohibition and Excise, Nizamabad.
2 The Inspector, Prohibition and Excise, Domakonda, Nizamabad District.

3 2 CCs to Government Pleader for Home,

High Court Buildings, Hyderabad. (OUT)

4 2 CD copies